

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

NAKIA SIMMONS, MICHELLE
SMITHERMAN, and MARLYE GOROSTIZA
individually and on behalf of others similarly
situated,

Plaintiffs,

v.

THE STANDARD LIFE INSURANCE
COMPANY OF NEW YORK,

Defendant.

Case No. 7:21-cv-00243 (NSR)

Proposed Order

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>1/7/2022</u>
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[PROPOSED] ORDER


For the reasons set forth in the Parties' Joint Letter Motion for Approval of Settlement Agreement, the Court hereby orders the following:

1. The Joint Letter Motion is **GRANTED**;
2. The Court approves the Agreement as a fair and reasonable resolution of the parties' *bona fide* dispute;
3. The Agreement is binding on all of the Named Plaintiffs and Participating Settlement Class Members as defined in the Settlement Agreement and this Order;
4. The terms of the Agreement are hereby incorporated into this Settlement Approval Order;
5. The form, content, and distribution method of the proposed Settlement Notice is approved and shall be mailed with the Settlement Checks in accordance with the terms of the Agreement, and the form, content, and distribution method of the proposed Reminder Notice also here approved;
6. The Agreement's terms and provisions, including the funding of the Gross Settlement Fund are approved;

7. The Service Awards, Plaintiffs' Counsel's award of attorneys' fees and expenses, and the Settlement Administrator's fees and expenses to be paid out of the Gross Settlement Fund as set forth in the Parties' Agreement are approved;
8. Counsel for the Parties are hereby authorized to utilize all reasonable and mutually agreed procedures in connection with the administration of the settlement which are not materially inconsistent with either this Order or the terms of the Agreement;
9. The Parties shall abide by all terms of the Agreement and this Order;
10. The Action on the merits is dismissed with prejudice, with each party to bear his, her, or its own fees and costs, except as set forth in the Agreement, and all Participating Settlement Class Members are permanently barred from prosecuting against the Released Parties any individual, class, collective, or representative claims that are released by the Agreement; and
11. The Court retains jurisdiction to interpret, implement, and enforce the terms of the Agreement and all orders and judgments entered in connection therewith; and
12. The Court hereby enters Judgment approving the terms of Settlement Agreement. This Order shall constitute a final judgment for purposes of Fed R. Civ. P. 58.
13. The Clerk is directed to remove all dates from the Court's calendar and close the case.

It is SO ORDERED.

Date: January 7, 2022
White Plains, NY



Nelson S. Román
UNITED STATES DISTRICT JUDGE